

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CLIFFORD W. EAGLE,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-14-1330-M
	)	
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

**ORDER**

On February 10, 2015, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation in this action. The Magistrate Judge recommended that plaintiff's cause of action be dismissed without prejudice due to plaintiff's failure to comply with his obligation under Federal Rule of Civil Procedure 4(m) to timely serve defendant with process. Plaintiff was advised of his right to object to the Supplemental Report and Recommendation by March 2, 2015. On March 4, 2015, plaintiff filed his objections. In his objections, plaintiff does not address the issue of his failure to timely serve defendant with process. Instead, plaintiff requests the appointment of counsel and contends that this Court has discretionary authority to appoint counsel to assist indigent civil litigants who are proceeding in forma pauperis. Plaintiff, however, is not an indigent civil litigant and is not proceeding in forma pauperis in this case. The Court, therefore, finds no need to appoint plaintiff counsel.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Supplemental Report and Recommendation [docket no. 14], and

(2) DISMISSES this action without prejudice due to plaintiff's failure to comply with his obligation under Federal Rule of Civil Procedure 4(m) to timely serve defendant with process.

**IT IS SO ORDERED this 11th day of March, 2015.**



VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE